



# PUBLIC NOTICE

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Federal Communications Commission

1919 M St., N.W.

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Internet: <http://www.fcc.gov>

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DA 98-1999

Released: October 5, 1998

## PACIFIC BELL FILES PETITION FOR EXPEDITED WAIVER OF SEQUENCE IN WHICH STATE AND FEDERAL UNIVERSAL SERVICE DISCOUNTS FOR SCHOOLS AND LIBRARIES ARE TO BE APPLIED

### PLEADING CYCLE ESTABLISHED

CC Docket No. 96-45

Comment Date: October 26, 1998

Reply Comment Date: November 5, 1998

On September 18, 1998, Pacific Bell ("Pacific") filed a Petition for Expedited Waiver of the sequence in which state and federal discounts are to be applied on certain telecommunications services eligible for universal service discounts under the federal support mechanism and a California counterpart.<sup>1</sup> Pacific seeks a waiver to reverse the order of stacking, i.e., to permit the discount provided under a California state program to be applied first, and then the federal discount, on both a retroactive and prospective basis.<sup>2</sup>

**Filing Requirements.** Pursuant to applicable procedures set forth in sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments in support of or in opposition to Pacific's Petition for Expedited Waiver on or before **October 26, 1998**, and may file reply comments on or before **November 5, 1998**. All filings should refer to **Pacific Bell Petition for Expedited Waiver, CC Docket No.**

<sup>1</sup> Pacific Bell, *Petition for Expedited Waiver* (filed September 18, 1998) (*Pacific Petition*).

<sup>2</sup> *Pacific Petition* at p. 1. In the *Fourth Reconsideration Order*, the Federal Communications Commission ("Commission") concluded that, for services provided to eligible schools and libraries, federal universal service discounts should be based on the price of the service to regular commercial customers, the competitively bid price offered by the service provider to the school or library that is purchasing eligible services, prior to the application of any state-provided support for schools and libraries. Federal-State Joint Board on Universal Service and Access Charge Reform, Price Cap Performance Review for Local Exchange Carriers, Transport Rate Structure and Pricing, End User Common Line Charge, CC Docket Nos. 96-45, 96-262, 94-1, 91-213, 95-72, *Fourth Order on Reconsideration in CC Docket No. 96-45, Report and Order in CC Docket Nos. 96-45, 96-262, 94-1, 91-213, 95-72*, 12 FCC Rcd 5318, 5432 (1997).

**96-45, DA 98-1999.** One original and six copies of all comments and reply comments must be sent to Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, D.C. 20554. Three copies should also be sent to Sheryl Todd, Accounting Policy Division, Common Carrier Bureau, 2100 M Street, N.W., 8th Floor, Washington, D.C. 20554. Parties should send one copy of their comments to the Commission's copy contractor, International Transcription Service, 1231 20th Street, N.W., Washington, D.C. 20037, (202) 857-3800. Copies of documents filed with the Commission, including the Petition for Expedited Waiver, may be obtained from the International Transcription Service, 1231 20th Street, N.W., Washington, D.C. 20036, (202) 857-3800. Documents are also available for review and copying at the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C., from 9:00 a.m. to 4:30 p.m.

Parties may also file comments electronically via the Internet at: <http://www.fcc.gov/e-file/ecfs.html>. Only one copy of an electronic submission must be submitted. In completing the transmittal screen, each commenter should include its full name, Postal Service mailing address, and the lead docket number for this proceeding, which is **CC Docket No. 96-45**. Parties not submitting their comments via the Internet are also asked to submit their comments on diskette. Parties submitting diskettes should submit them to Sheryl Todd, Accounting Policy Division, Common Carrier Bureau, 2100 M Street, N.W., Room 8606, Washington, D.C. 20554. Such a submission should be on a 3.5 inch diskette formatted in an IBM compatible format using WordPerfect 5.1 for Windows or compatible software. The diskette should be accompanied by a cover letter and should be submitted in "read only" mode. The diskette should be clearly labelled with the party's name, proceeding (including the lead docket number in this case, CC Docket No. 96-45), type of pleading (comment or reply comment), date of submission, and the name of the electronic file on the diskette. Each diskette should contain only one party's pleadings, preferably in a single electronic file. In addition, parties must send copies to the Commission's contract copier, International Transcription Service, Inc., 1231 - 20th Street, N.W., Washington, D.C. 20554.

*Ex parte contact.* Filing of this petition initiates a permit-but-disclose proceeding under the Commission's rules.<sup>3</sup>

For further information on this Public Notice, contact Antoinette Stevens, Accounting Policy Division, Common Carrier Bureau at (202) 418-7400.

-- Action by Chief, Accounting Policy Division --

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<sup>3</sup> See 47 C.F.R. § 1.1206.